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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Ling et al.

Serial No: 09/883,848

Filed: June 18, 2001

For: Angiogenesis-Modulating
Compositions and Uses

Attorney Docket No. CIBT-P01-119

Art Unit: C. Yaen

Examiner: 1642

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REPLY TO RESTRICTION REQUIREMENT

Sir:

In reply to the outstanding Restriction Requirement, mailed April 7, 2004, in connection with the above application, Applicants hereby elect with traverse Group II, claims 1-2 and 25-27, drawn to a method of promoting angiogenesis comprising administering an angiogenic amount of a hedgehog agonist. Applicants elect this invention with traverse, because the invention of Group I, claims 1-17, and the invention of Group II, claims 1-2 and 25-27, encompass overlapping subject matter based on methods of promoting angiogenesis. Accordingly, Groups I and II could be examined simultaneously without significant additional burden.

The Restriction Requirement additionally contained a requirement to elect a single agonist of general formula XII. Applicants note, for the record, that the Examiner's requirement that Applicants elect a single structure for prosecution is unduly burdensome, and that this requirement should instead be an election of species. Nevertheless, Applicants elect with traverse the structure presented in Exhibit 1.